

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Nacala Abiola Mitchell,

Plaintiff,

-against-

Affirm, Inc., American Express Credit Corporation,  
Citibank, N.A., Experian Information Solutions,  
Inc., and Trans Union, LLC.,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY  
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DATE FILED: 8/24/2022

22 Civ. 5420 (AT)

**ORDER**

The Court has been advised that all claims asserted herein against Defendant American Express Credit Corporation (“American Express”) have been settled in principle. ECF No. 29. Accordingly, the above-entitled action is hereby dismissed and discontinued without costs as to American Express, and without prejudice to the right to reopen the action within forty-five days of the date of this Order if the settlement is not consummated.

Any application to reopen must be filed within forty-five days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement between Plaintiff and American Express, they must submit the settlement agreement to the Court within the same forty-five-day period to be so-ordered by the Court. Per Rule IV(C) of the Court’s Individual Practices in Civil Cases, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot as they pertain to American Express. All conferences are vacated as they pertain to American Express. The Clerk of Court is directed to remove American Express as a defendant from this action.

SO ORDERED.

Dated: August 24, 2022  
New York, New York



ANALISA TORRES  
United States District Judge